

MEETINGS TO DATE 10
NO. OF REGULARS 7
NO. OF SPECIALS 3

LANCASTER, NEW YORK
APRIL 17, 1989

A joint meeting of the Town Board and the Planning Board of the Town of Lancaster, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York on the 17th day of April 1989, at 7:00 P.M. and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR
RONALD A. CZAPLA, COUNCILMAN
ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
JOHN T. MILLER, COUNCILMAN
ANTHONY FRANJOINE, PLANNING BOARD MEMBER
JOHNSTON N. REID, JR. PLANNING BOARD MEMBER
MELVIN H. SZYMANSKI, PLANNING BOARD MEMBER

ABSENT: DONNA G. STEMPIAK, PLANNING BOARD CHAIRMAN
JOHN P. GOBER, PLANNING BOARD MEMBER
GEORGE E. O'NEIL, PLANNING BOARD MEMBER
MILDRED WHITTAKER, PLANNING BOARD MEMBER

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
NICHOLAS LO CICERO, DEP. TOWN ATTORNEY
ROBERT L. LANEY, BUILDING INSPECTOR

PURPOSE OF MEETING:

This joint meeting of the Town Board and Planning Board of the Town of Lancaster was held for the purpose of acting as a Municipal Review Committee for a State Environmental Quality Review of the application of Amadori Construction Co., Inc. for a permit to remove borrow material from the Joseph and Eleane Cacil property at 61 Nichter Road.

IN THE MATTER OF THE SEQR REVIEW OF AMADORI CONSTRUCTION CO., INC.

The joint boards then proceeded with the Environmental Assessment on the Amadori Construction Co., Inc. matter with an item for item review and discussion of the project impact and magnitude as outlined on an Full Environmental Assessment Form Part 2 which was provided to each member.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA, WHO MOVED ITS
ADOPTION, SECONDED BY COUNCILMAN KWAK,
TO WIT:

RESOLVED, that the following Negative Declaration be adopted:

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**NOTICE OF DETERMINATION
AMADORI CONSTRUCTION CO., INC. BORROW MATERIAL REMOVAL PERMIT
NEGATIVE DECLARATION**

PLEASE TAKE NOTICE, that the Town of Lancaster, acting as the designated lead agency under the State Environmental Quality Review Act, has reviewed the following described proposed action, which was a Type 1 action, through its designated Municipal Review Committee, and that committee having found no significant environmental impact, the lead agency, now issues a Negative Declaration for the purposes of Article 8 of the Environmental Conservation Law.

NAME AND ADDRESS OF LEAD AGENCY

Town of Lancaster
21 Central Avenue
Lancaster, New York 14086
Nicholas LoCicero, Deputy Town Attorney
716-684-3342

NATURE, EXTENT AND LOCATION OF ACTION:

The proposed action is of a parcel involving approximately two acres.

The location of the premises being reviewed is on the south side of Nichter Road within the Town of Lancaster and is locally known as 61 Nichter Road.

REASONS SUPPORTING DETERMINATION

The lead agency, the Town of Lancaster, through the review of the Municipal Review Committee, which is made up of at least four (4) members of the Town Board of the Town of Lancaster together with at least three (3) members of the Planning Board of the Town of Lancaster, has found the proposed action impacts to be as follows:

1. The proposed action will result in a small to moderate physical change to the project site. A temporary bridge, built to D.E.C. standards, is required and will be placed to bridge an existing drainage way.
2. The proposed action will not effect any unique or unusual land forms found on the site.
3. The proposed action will not affect any water body designated as protected.
4. The proposed action will have a small to moderate impact on non-protected existing or new bodies of water. A new one acre pond will be created.
5. The proposed action will have a small to moderate impact on surface or groundwater quality or quantity. Siltation will occur during construction period only. A plan for sedimentation control has been filed.
6. The proposed action will have a small to moderate impact on drainage flow patterns or surface water runoff. A new one acre pond will be created.
7. The proposed action will have a small to moderate impact on air quality. Some dust will occur during construction. Control plan calls for sweeper, water truck and a stone haul road.
8. The proposed action will not affect any threatened or endangered species.

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9. The proposed action will not substantially affect non-threatened or endangered species.
10. The proposed action will not affect agricultural land resources.
11. The proposed action will not affect aesthetic resources. Contractor will remove existing junk, clutter and unsightly debris from the premises. Positive aesthetic impact noted.
12. The proposed action will not impact any site or structure of historic, pre-historic or paleontological importance.
13. The proposed action will not affect the quantity or quality of existing or future open spaces or recreational opportunities.
14. The proposed action will have a small to moderate impact on existing transportation systems. Action necessitates approximately 32 truck trips per hour leaving premises and entering Nichter Road, an Erie County highway. Flagman will be on duty 7:30 a.m. to 5:30 p.m. Street sweeper on premises for dirt spill cleanup on Nichter Road if necessary.
15. The proposed action will not affect the community's sources of fuel or energy supply.
16. There will be a small to moderate impact on noise and vibration as a result of this proposed action. Truck loading and traffic of 32 trips per hour. Contractor will control noise by limited operation between 7:30 a.m. and 5:30 p.m.
17. The proposed action will not affect public health and safety.
18. The proposed action will not affect the character of the existing community.
19. There is a minor amount of controversy related to potential adverse environmental impacts. Concerns have been expressed over possible road damage and increased traffic. **Be it noted** that if other source of fill were used for project, truck traffic would still, of necessity, have to use Nichter Road anyway. Contractor will video Nichter Road before and after project to ascertain any damage.

April 17, 1989

s/s _____
Stanley Jay Keysa, Supervisor
Town of Lancaster

and,

BE IT FURTHER

RESOLVED, that the Supervisor of the Town of Lancaster be and is here by authorized to execute a "Negative Declaration" Notice of Determination of Non-Significance in this matter, and

BE IT FURTHER

RESOLVED, that the Town Attorney's Office prepare and file a "Negative Declaration" Notice of Determination of Non-Significance in this matter with the petitioner and with all required New York State and Erie County agencies, filing a copy of the letter of transmittal and "Negative Declaration" with the Town Clerk.

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The question of the adoption of the foregoing Notice of Determination was duly put to a vote on roll call which resulted as follows:

SUPERVISOR KEYSA	VOTED YES
COUNCILMAN GIZA	VOTED YES
COUNCILMAN CZAPLA	VOTED YES
COUNCILMAN KWAK	VOTED YES
COUNCILMAN MILLER	VOTED YES
PLANNING BOARD CHAIR. STEMPNIAK	WAS ABSENT
PLANNING BOARD MEMBER FRANJOINE	VOTED YES
PLANNING BOARD MEMBER GOBER	WAS ABSENT
PLANNING BOARD MEMBER O'NEIL	WAS ABSENT
PLANNING BOARD MEMBER REID	VOTED YES
PLANNING BOARD MEMBER SZYMANSKI	VOTED YES
PLANNING BOARD MEMBER WHITTAKER	WAS ABSENT

The Notice of Determination was thereupon unanimously adopted.

April 17, 1989

ON MOTION DULY MADE, SECONDED AND CARRIED, by voice vote, the joint meeting was adjourned at 7:50 P.M.

Signed

Robert P. Thill

Robert P. Thill, Town Clerk

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MEETINGS TO DATE 11
NO. OF REGULARS 8
NO. OF SPECIALS 3

LANCASTER, NEW YORK
APRIL 17, 1989

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 17th day of April 1989 at 8:00 P.M. and there were

PRESENT: RONALD A. CZAPLA, COUNCILMAN
ROBERT H. GIZA, COUNCILMAN
DONALD E. KWAK, COUNCILMAN
JOHN T. MILLER, COUNCILMAN
STANLEY JAY KEYSA, SUPERVISOR

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK
RICHARD J. SHERWOOD, TOWN ATTORNEY
NICHOLAS LO CICERO, DEPUTY TOWN ATTORNEY
BRUCE SHEARER, TOWN ENGINEER
ROBERT L. LANEY, BUILDING INSPECTOR
THOMAS E. FOWLER, CHIEF OF POLICE
MALCOLM J. FRANCIS, JR., ASSESSOR

PUBLIC HEARING SCHEDULED FOR 8:10 P.M.:

At 8:10 P.M., the Town Board was scheduled to hold a Public Hearing to hear all interested persons upon the proposed amendments to Local Law No. 1 of the Year 1987, "Floodplains", designated as Chapter 21 of the Code of the Town of Lancaster.

The Town Attorney reported that the Legal Notice published for this public hearing contained a technical error and that a new resolution is prefiled on this evening's agenda setting forth a new public hearing for May 1, 1989.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

RESOLVED, that the minutes from the Regular Meeting of the Town
Board, held on April 3, 1989, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

April 17, 1989

File: R-MIN (P1)

THE FOLLOWING RESOLUTION WAS OFFERED
COUNCILMAN CZAPLA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, resolutions were adopted by the Official Delegates of the New York Association of Towns at the Business Session of the 1989 Annual Meeting of this Association on February 22, 1989 in New York City, and

WHEREAS, a great deal of thought went into the drafting of these position statements which were carefully reviewed and discussed in depth by both the Association's Executive Committee and the Association's Resolutions Committee on several occasions, and

WHEREAS, these resolutions adopted at the Annual Meeting held on February 22, 1989 concern the following topics:

Solid Waste
Revenue Sharing
Transfer Tax
Sales Tax
Municipal Ethics Act
Mandates
State Sewer Operations and Maintenance
Condominium Assessment
Election Inspector Salaries
Primary Polling Places
Local Political Caucuses
Wicks
Dedicated Highway Fund
Funding of Youth Programs
Military Leave
Access to State Park Areas

and,

WHEREAS, the full text of the aforesaid resolutions has been previously provided to the Governor of the State of New York and to Members of the New York State Assembly and Senate,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster specifically memorializes State Senator Dale M. Volker and State Assemblyman Vincent J. Graber to give to the resolutions adopted by the 1989 Association of Towns, careful scrutiny when they are considering legislative proposals involving any of the sixteen topic areas covered by these resolutions.

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The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

April 17, 1989

File: R-ASSOC-TWN

12X

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, Josela Enterprises, Inc., 5653 Broadway, Lancaster, New York 14086, has applied to the Town Board of the Town of Lancaster for permits to construct Public Improvements upon real property in the Town of Lancaster within Pine Tree Farm Subdivisions, Phases I and II, and

WHEREAS, the Town Engineer of the Town of Lancaster has certified on the following permit applications that he has reviewed the improvement plans and permit applications for the installation of the public improvements requested, and that they conform to the Ordinances of the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that Public Improvement Permit Application Nos. 166, 167, 168, 169 and 170 of Josela Enterprises, Inc., 5653 Broadway, Lancaster, New York 14086, for the installation of:

Pine Tree Farm Subdivision - Phase I:

- P.I.P. No. 166 - Install approx. 1,265 l.f. 8" P.V.C. water main, 4 hydrants and necessary appurtenances to serve Pine tree Farm Subdivision, Phase I -Sub Lots 22-48 and 99-118 (47 lots).
(Water Line)
- P.I.P. No. 167 - Construction of approx. 8,175 s.y. of asphalt concrete pavement (8" stone, 4" A.C. base, 2" A.C. binder, 1" A.C. top) and 5,150 l.f. of 20" upright curbing (type B-B) in Pinetree Farm Subdivision, Phase I -Sub Lots 22-48 and 99-118 (47 lots).
(Pavement & Curbs)

Pine Tree Farm Subdivision - Phase II:

- P.I.P. No. 168 Install approx. 3,400 l.f. 8" P.V.C. water main, 6 hydrants and necessary appurtenances to serve Pine Tree Farm Subdivision, Phase II -Sub Lots 1-21 and 49-98 (71 Lots).
(Water Line)
- P.I.P. No. 169 - Install approx. 1,121 l.f. 12" CCMP, 496 l.f. 15" CCMP, 819 l.f. 12" RCP, 396 l.f. 15" CCMP, 535 l.f. 24" RCP, 10 manholes, 22 receivers and 6 backyard rec. to serve Pine Tree Farm Subdivision, Phase II -Sub Lots 1-21 and 49-98 (71 Lots).
(Storm Sewer)
- P.I.P. No. 170 - Construction of approx. 14,200 s.y. of asphalt concrete pavement (8" stone, 4" A.C. base, 2" A.C. binder, 1" A.C. top) and 8,895 l.f. of 20" upright curbing (type B-B) in Pinetree Farm Subdivision, Phase II -Sub Lots 1-21 and 49-98 (71 lots).
(Pavement & Curbs)

be and are hereby approved and the installation of the improvements requested be and are hereby authorized, subject to the following condition:

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No Building Permits shall be issued until Performance Security as authorized in Chapter 11-6 of the Code of the Town of Lancaster is provided -- or -- until approval of all Public Improvements, including lighting and sidewalks, by the Town Engineer and Town Board, and sewer by Erie County Sewer District No. 4, and conveyance of Warranty Deed with adequate title insurance and bill of sale of Improvements rights-of-way, and easement, and delivery of two (2) year maintenance bonds from date of acceptance in the principal sum of 25% of the total cost of the improvement.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

April 17, 1989

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK, TO WIT:

WHEREAS, the Recreation Commission Chairman of the Town of Lancaster, by letter dated April 10, 1989, has requested authorization to purchase one (1) 1989 GMC Sierra One-half Ton Pickup Truck under New York State Office of General Services Contract from Maier-Schule GMC Inc., 1745 Walden Avenue, Buffalo, New York 14225, at a cost of \$8,746.00,

NOW, THEREFORE, BE IT

RESOLVED, that the Director of Recreation of the Recreation Department of the Town of Lancaster, be and is hereby authorized to purchase one (1) 1989 GMC Sierra One-half Ton Pickup Truck under the New York State Office of General Services Contract from Maier-Schule GMC Inc., 1745 Walden Avenue, Buffalo, New York 14225, for the total price of \$8,746.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

April 17, 1989

File: R-STATE-PUR

32X

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA, TO WIT:

WHEREAS, Nicholas Sherwood and Michael Almendinger, by resolution dated October 18, 1988, were authorized by the Town Board of the Town of Lancaster to dump and dispose of materials outside permitted sanitary landfills within the Town of Lancaster, namely on premises owned by the applicants at 16 and 18 Old Schoolhouse Road, for the period April 1, 1988 to May 31, 1989, and

WHEREAS, Nicholas Sherwood and Michael Almendinger have requested an extension of their dumping permit, and

WHEREAS, the application was referred to the Building Inspector for review and recommendation, and

WHEREAS, the Building Inspector, by letter dated April 6, 1989, completed his review and made a formal, favorable recommendation to the Town Board for extension of this dumping permit for a one year period,

NOW, THEREFORE, BE IT

RESOLVED, that Nicholas Sherwood and Michael Almendinger be and are hereby authorized to to dump and dispose of materials outside permitted sanitary landfills within the Town of Lancaster, namely on premises owned by the applicants at 16 and 18 Old Schoolhouse Road, for the period June 1, 1989 to May 31, 1990, said dumping to be in strict conformance with the application of the petitioner as filed in the Office of the Town Clerk, and,

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

April 17, 1989

File: R-PRMT-DP-0 (P2)

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THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster provide for the adoption and enactment of Local Laws, and

WHEREAS, the Town Board of the Town of Lancsater adopted Local Law No. 1 of the Year 1987, entitled "FLOODPLAINS", on April 6, 1987, and

WHEREAS, the Federal Emergency Management Agency (FEMA) will require certain amendments to municipal flood plain ordinances to assure continuing flood insurance availability within the municipality, and

WHEREAS, after review and consideration, the Town Board of the Town of Lancaster deems it in the public interest to amend Local Law No. 1 of the Year 1987, entitled "FLOODPLAINS", and further designated as Chapter 21 of the Code of the Town of Lancaster, by adoption of Local Law No. 1 of the Year 1989, to amend Section 21-14 by the repeal of the present Section 21-14, and the adoption in place thereof of the following Section 21-14:

CHAPTER 21
LOCAL LAW NO. 1
1989
FLOODPLAINS

§21-14 Appeal Board; Variance procedures.

A. Appeal Board.

- (1) The Town of Lancaster Zoning Board of Appeals is designated to hear and decide appeals and requests for variances from the requirements of this Local Law.
- (2) The Zoning Board of Appeals shall hear and decide appeals when it is alleged that there is an error in any requirement, decision or determination made by the Town Board in the enforcement or administration of this Local Law.

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- (3) Those aggrieved by the decision of the Zoning Board of Appeals, or any taxpayer, may appeal such decision to the appropriate judicial forum as established by law.
- (4) In passing upon applications, the Zoning Board of Appeals of the Town of Lancaster shall consider all technical evaluations, all relevant factors, standards specified in other sections of this local law and:
 - (a) The danger that materials may be swept unto other lands to the injury of others.
 - (b) The danger to life and property due to flooding or erosion damage.
 - (c) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
 - (d) The importance of the services provided by the proposed facility to the community.
 - (e) The necessity to the facility of a waterfront location, where applicable.
 - (f) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage.
 - (g) The compatibility of the proposed use with existing and anticipated development.
 - (h) The relationship of the proposed use to the Comprehensive Plan and floodplain management program of that area.
 - (i) The expected heights, velocity, duration, rate of rise and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.
 - (j) The safety of access to the property in times of flood for ordinary and emergency vehicles.
 - (k) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities, such as sewer, gas, electrical and water systems and streets and bridges.
 - (l) The costs to local governments and the dangers associated with conducting search and rescue operations during periods of flooding.
- (5) Upon consideration of the factors of Subsection A(4) and the purposes of this Local Law, the Zoning Board of Appeals of the Town of Lancaster may attach such conditions to the granting of variances as it deems necessary to further the purposes of this Local Law.
- (6) The Town Clerk shall maintain the records of all appeal actions, including technical information and report any variances to the Federal Emergency Management Agency.

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B. Conditions for variances.

- (1) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half (1/2) acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, provided that §21-14A(4)(a) through (1) has been fully considered. As the lot size increases beyond the one-half (1/2) acre, the technical justification required for issuing the variance increases.
- (2) Variances may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the State Inventory of Historic Places, without regard to the procedures set forth in the remainder of this section.
- (3) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (4) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (5) Variances shall only be issued upon:
 - (a) A showing of good and sufficient cause.
 - (b) A determination that failure to grant the variance would result in exceptional hardship to the applicant.
 - (c) A determination that the granting of a variance will not result in increased flood heights, additional threats to public safety or extraordinary public expense; create nuisances; cause fraud on or victimization of the public as identified in §21-14A(4); or conflict with existing local laws or ordinances.
- (6) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate the increased risk resulting from the reduced lowest floor elevation.
- (7) Variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use, provided that:

- (a) The criteria of Subsection 8(1)(3), (4) and (5) of this section are met.
- (b) The structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threat to public safety.

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster, a Public Hearing on the proposed amendment of Chapter 21 of the Code of the Town of Lancaster, designated as Local Law No. 1 of the Year 1987, entitled "Floodplains", by the repeal of Section 21-14 of said Local Law No. 1 of 1987, and the enactment of a new Section 21-14 in place thereof, to be designated as Local Law No. 1 of the Year 1989, will be held in the Town Hall, 21 Central Avenue, Lancaster, New York, at 8:10 o'clock P.M., Local Time, on the 1st day of May, 1989, and that Notice of the time and place of such Hearing shall be published on April 20, 1989 in the Lancaster Bee, being a newspaper of general circulation in said Town and posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof, and

2. That the Town Clerk is hereby directed to make copies of the proposed Local Law No. 1 for the Year 1989, entitled "Floodplains" for inspection by and distribution to any person during business hours.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

April 17, 1989

32X1

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 17th day of April, 1989, the said Town Board will hold a Public Hearing on the 1st day of May, 1989, at 8:10 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the proposed amendment to Local Law No. 1 of the Year 1987, entitled "Floodplains", designated as Chapter 21 of the Code of the said Town, by repealing Section 21-14 of said Local Law and the enactment of a new Section 21-14 of Chapter 21 of the Code, in place thereof, to be known as Local Law No. 1 of the Year 1989, briefly described as follows:

"A Local Law to amend the Floodplain Local Law to comply with requirements of the Federal Emergency Management Agency."

A complete copy of the proposed Local Law No. 1 of the Year 1989 is available at the office of the Town Clerk for inspection by and distribution to any person during business hours.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

April 17, 1989

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THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to revise the floodway in the subdivision known as Forestream Village, located on the east side of Transit Road at the south boundary of the Town of Lancaster, County of Erie, State of New York, bounded and described as follows:

PARCEL A:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Lancaster, County of Erie, State of New York, being part of Lot 98, Township 10, Range 6 of the Buffalo Creek Indian Reservation and more particularly described as follows:

BEGINNING AT A POINT in the easterly boundary of Transit Road with its intersection with the southerly line of Lot 98, thence northerly along the easterly boundary of Transit Road 940+ feet to a point; thence easterly and parallel with the southerly line of Lot 98, 150+ feet to a point; thence south-easterly at a bearing of S 135°E, 570+ feet to a point; thence southerly and parallel to the easterly line of Transit Road 535+ feet to a point in the southerly line of Lot 98; thence 550+ feet along the southerly line of Lot 98 to the POINT OR PLACE OF BEGINNING.

PARCEL B:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie, State of New York, being part of Lot 98, Township 10, Range 6 of the Buffalo Creek Indian Reservation and more particularly described as follows:

BEGINNING AT A POINT in the easterly boundary of Transit Road with its intersection with the northerly boundary of Lot 98; thence easterly along said northerly boundary 445+ feet to a point; thence southwesterly at a bearing of S 210°W, 490+ feet to a point; thence westerly 200+ feet along the northerly boundary of an easement granted to NYSDOT to the easterly boundary of Transit Road; thence 413+ feet northerly along the easterly boundary of Transit Road to the POINT OR PLACE OF BEGINNING.

PARCEL C:

ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Lancaster, County of Erie, State of New York, being part of Lot 98, Township 10, Range 6 of the Buffalo Creek Indian Reservation and more particularly described as follows:

BEGINNING AT A POINT in the southerly line of Lot 98, 550+ feet easterly with its intersection with the east line of Transit Road, thence northerly and parallel with the east line of Transit Road 535+ feet to a point; thence northwesterly

at a bearing of N 315+0W, 425+ feet to a point; thence northerly and parallel to the east line of Transit Road 380+ feet to a point; thence at a bearing of N 30+0E, 380+ feet to a point in the northerly line of lot 98 thence 405+ feet along the northerly line of Lot 98 to a point; thence southerly and parallel to the east line of Transit Road to a point in the southerly line of Lot 98; thence 300+ feet westerly along the southerly line of Lot 98 to the POINT OR PLACE OF BEGINNING.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to Section 130 of the Town Law of the State of New York, a public hearing on the proposed revision of the floodplain on the above described property will be held by the Town Board of the Town of Lancaster on May 1st, 1989, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, and that Notice of the Time and Place of such hearing be published on or before the 20th day of April, 1989, in the Lancaster Bee, the official newspaper, being a newspaper of general circulation in said Town, and be posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

April 17, 1989

32X1

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Town Law of the State of New York and pursuant to a resolution of the Town Board of the Town of Lancaster, adopted on the 17th day of April, 1989, the said Town Board will hold a Public Hearing on the 1st day of May, 1989, at 8:30 o'clock P.M., Local Time, at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons on the amendment of the FEMA defined floodway within the defined floodplain in Forestream Subdivision.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER

BY: ROBERT P. THILL
Town Clerk

April 17, 1989

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN MILLER , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, the Town Board has reviewed the situation involving new construction and its impact on the Refuse and Garbage District, to wit: that the Town Assessor after October 1st in any year is precluded from adding new building permits to the tax roll, thereby resulting in new construction which is not billed for Special District taxes for Refuse and Garbage while this construction will receive collection service within the District, and

WHEREAS, the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster provide for the adoption and enactment of Local Laws, and

WHEREAS, Municipal Home Rule Law §10 et seq. permits towns to adopt local laws which relate to the property, affairs and government of the Town, and

WHEREAS, the Town Board of the Town of Lancaster deems it to be in the interest of the property, affairs and government of the Town to adopt a Local Law, to provide for the collection of an impact fee for the collection of refuse and garbage from new construction of the type not exempt from Special District Taxes, which the Town Assessor is unable to place on the tax roll for the following year and to be collected at the time of issuance of the building permit in an amount equal to the special district tax for existing improved properties within the Town, and be designated as Local Law No. 2 of the Year 1989, entitled, "Refuse and Garbage Collection Impact Fee Law", and further designated as Chapter 25 of the Code of the Town of Lancaster, and shall read as follows:

32X1

IMPACT FEE
CHAPTER 25

REFUSE AND GARBAGE COLLECTION
IMPACT FEE

PROPOSED

LOCAL LAW NO. 2
1989

A LOCAL LAW TO ALLOW BUILDING INSPECTOR TO COLLECT AN IMPACT
FEE FOR GARBAGE & REFUSE DISTRICT SPECIAL DISTRICT TAXES.

- 25.1 Legislative Authority; Title
- 25.2 Definitions
- 25.3 Impact Fee Required
- 25.4 When Effective

Be it enacted by the Town Board of the Town of Lancaster, as
follows:

- 25.1 Legislative Authority, Title.
This Local Law is enacted pursuant to the authority granted
in §10 of the Municipal Home Rule Law of the State of New
York wherein a municipality may adopt local laws relating
to the property, affairs, and government of the Town, and
shall be known as the "Refuse and Garbage Collection Impact
Fee Law of the Town of Lancaster".
- 25.2 Definitions.
For the purpose of this Local Law, certain terms are defined
as follows:
BUILDING INSPECTOR - Shall mean the appointed Building
Inspector or Deputy Building Inspector.
TOWN ASSESSOR - Shall mean the appointed Assessor
or his designated representative.
- 25.3 Impact Fee Required.
Where application for a building permit is made to the
Building Inspector of the Town of Lancaster for new
construction that is not exempt from the special district
tax imposed for Refuse and Garbage Collection, and it is
determined by the Building Inspector and Town Assessor
that the Assessor will be unable to log in the premises
for imposition of special district taxes for refuse and
garbage collection for the following year due to the fact
that the tax roll has been closed for that following year,

32X1

then the Building Inspector shall collect an impact fee from the applicant in an amount equal to the amount being charged in Refuse and Garbage Special District taxes to a comparable classification of property for that following tax year.

25.4 When effective.

This Local Law shall take effect after mailing, filing and publication as required by Law.

NOW, THEREFORE, BE IT

RESOLVED, that pursuant to the Municipal Home Rule of the State of New York and Chapter 26 of the Code of the Town of Lancaster, a Public Hearing on the proposed Local Law No. 2 of the Year 1989, also known as Chapter 25 of the Code of the Town of Lancaster, entitled "Refuse and Garbage Collection Impact Fee Law", will be held at the Town Hall, 21 Central Avenue, Lancaster, New York, at 8:20 o'clock P.M., Local Time on the 1st day of May, 1989, and that Notice of the Time and Place of such Hearing be published on April 21, 1989, in the Lancaster Bee, being a newspaper of general circulation in said Town, and posted on the Town Bulletin Board, which Notice shall be in the form attached hereto and made a part hereof, and

BE IT FURTHER

RESOLVED, that the Town Clerk is hereby directed to make copies of the proposed Local Law No. 2 of the Year 1989, for inspection by and distribution to any person during business hours.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

April 17, 1989

LEGAL NOTICE
PUBLIC HEARING
TOWN OF LANCASTER

LEGAL NOTICE IS HEREBY GIVEN that pursuant to the Municipal Home Rule Law of the State of New York and Chapter 26 of the Code of the Town of Lancaster, and pursuant to a resolution of the Town Board of the Town of Lancaster adopted on the 17th day of April, 1989, the said Town Board will hold a Public Hearing on the 1st day of May, 1989, at 8:20 o'clock P.M., Local Time at the Town Hall, 21 Central Avenue, Lancaster, New York, to hear all interested persons upon the proposed enactment of Local Law No. 2 of the Year 1989, also known as Chapter 25 of the Code of the Town of Lancaster, entitled "REFUSE AND GARBAGE COLLECTION IMPACT FEE LAW" briefly described as follows:

"A Local Law to provide for the collection of a one-year impact fee from new construction which the Town Assessor is unable to place on the tax roll"

A complete copy of the proposed Local Law No. 2 of the Year 1989 entitled "Refuse and Garbage Collection Impact Fee Law" is available at the office of the Town Clerk for inspection by and distribution to any person during business hours.

Full opportunity to be heard will be given to any and all citizens and all parties in interest.

TOWN BOARD OF THE
TOWN OF LANCASTER
BY: ROBERT P. THILL
Town Clerk

April 17, 1989

12x1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
MILLER , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster is concerned with the cost and expenses associated with the cleanup of hazardous materials incidents incurred by the Town, departments thereof, or Combined Hazmat Team (CHT), or which deplete the supplies, material, apparatus and equipment of the CHT, of which the Town of Lancaster is a sponsor, and

WHEREAS, the perpetrator or causative agent of the aforementioned hazardous material incident, whether intentional or negligent in nature, should more appropriately bear the costs and expenses determined to be necessary by the Town or the CHT to address the hazardous material incident, and

WHEREAS, the Town Board of the Town of Lancaster deems it in the public interest to therefore make claims for reimbursement of costs and expenses incurred by the Town of Lancaster, departments thereof, or CHT in hazardous materials incidents from the perpetrator or causative agent,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster does hereby direct the Town Attorney to pursue claims against perpetrators or causative agents of hazardous materials incidents to recover therefrom costs and expenses incurred by the Town, departments thereof, or Combined HAZMAT Team, relating to such incidents, including but not limited to the reimbursement costs of supplies materials, apparatus or equipment used and depleted by CHT or the Town.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

April 17, 1989

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has previously advertised for bids for furnishing Wrought Iron Work to be installed on the Stone Wall located on the south side of the Town Hall of the Town of Lancaster, and

WHEREAS, said bids were duly opened, read aloud and referred to the Supervisor for report and recommendation, and

WHEREAS, by letter dated April 14, 1989, the Supervisor of the Town of Lancaster has recommended that the bid for furnishing Wrought Iron Work to be installed on said Stone Wall be awarded to BUTLAK ORNAMENTAL IRON, 1351 Walden Avenue, Buffalo, New York 14211, in the amount of \$7,600.00 as the lowest responsible bidder,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby awards the bid for furnishing Wrought Iron Work to be installed on the Stone Wall located on the south side of the Town Hall of the Town of Lancaster to BUTLAK ORNAMENTAL IRON, 1351 Walden Avenue, Buffalo, New York 14211, being the lowest responsible bidder in the amount of \$7,600.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYS VOTED YES

The resolution was thereupon unanimously adopted.

April 17, 1989

2X

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA, TO WIT:

RESOLVED, that pursuant to Section 4-104 of the Election Law of the State of New York, this Town Board hereby designates the following Polling Places in each Election District of the Town of Lancaster, at which meetings for the Registration of votes and conduction of Elections and Primaries shall be held during the year following the ensuing 1st day of May 1989.

ELECTION DIST.	POLLING PLACE
1	Town Hall, 21 Central Ave., Lancaster, N.Y. (Consolidated Registration Place)
2	Court St. School, 109 Court St., Lancaster, N.Y.
3	Court St. School, 109 Court St., Lancaster, N.Y.
4	Como Park School, 1985 Como Park Blvd., Lancaster, N.Y.
5	Como Park School, 1985 Como Park Blvd., Lancaster, N.Y.
6	Aurora Middle School, 148 Aurora St., Lancaster, N.Y.
7	Lancaster Municipal Building, 5243 Broadway, Lancaster, N.Y.
8	St. Mary's High School, 142 Laverack Ave., Lancaster, N.Y.
9	Fire Hall, 16 W. Drullard Ave., Lancaster, N.Y.
10	Central Avenue School, 149 Central Ave., Lancaster, N.Y.
11	Fire Hall, 45 Meridian St., Depew, N.Y.
12	Fire Hall, 45 Meridian St., Depew, N.Y.
13	Depew Municipal Building, 85 Manitou St., Depew, N.Y.
14	North Side Fire Hall, Brewster St., Depew, N.Y.
15	SS. Peter & Paul School, 66 Burlington Ave., Depew, N.Y.
16	Sacred Heart School, 5337 Genesee St., Bowmansville, N.Y.
17	Town Court Bldg., Lanc. Town Ctr, 525 Pavement Rd., Lancaster, N.Y.
18	Town Line Fire Hall, 6503 Broadway, Town Line, N.Y.
19	Historical Museum, 3703 Bowen Rd., Lancaster, N.Y.
20	Twin District Fire Hall, 4989 William St., Lancaster, N.Y.
21	North Side Fire Hall, Brewster St., Depew, N.Y.
22	Substation, Bowmansville Fire Hall, 158 Seltz Ave., Lancaster, N.Y.
23	Aurora Middle School, 148 Aurora St., Lancaster, N.Y.
24	Village Dept. of Public Works., 5200 Broadway, Lancaster, N.Y.
25	Lancaster Senior High School, 1 Forton Dr., Lancaster, N.Y.
26	SS. Peter & Paul School, 66 Burlington Ave., Depew, N.Y.
27	Lancaster Senior High School, 1 Forton Dr., Lancaster, N.Y.
28	Sacred Heart School, 5337 Genesee St., Bowmansville, N.Y.
29	Bus Garage, Lanc. School Dist., Pleasant View Dr., Lancaster, N.Y.
30	Substation, Town Line Fire Hall, 63 Cemetery Rd., Lancaster, N.Y.
31	Town Line Fire Hall, 6503 Broadway, Town Line, N.Y.
32	Twin District Fire Hall, 4989 William St., Lancaster, N.Y.
33	Cayuga Heights Elem. School, 1780 Como Park Blvd., Lancaster, N.Y.
34	Cayuga Heights Elem. School, 1780 Como Park Blvd., Lancaster, N.Y.

32X1

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

April 17, 1988

32x1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
GIZA , TO WIT:

WHEREAS, the Town Board deems it in the public interest for the
Town Recreation Commission to operate a softball diamond on the property owned
by Southeast Community Work Center on Lincoln Street in the Village of
Depew for the years 1989, 1990, 1991 and 1992, and

WHEREAS, the Town Attorney has reviewed , approved and filed with
the Town Clerk, a Lease setting forth the terms upon which the recreational
area will be utilized by the Town of Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, as follows:

1. That the Supervisor be and hereby is authorized and directed to
execute a Lease between the Town of Lancaster and Southeast Community Work
Center, Inc. for the lease by Southeast Community Work Center to the Town of
Lancaster of a softball diamond area located on its premises on Lincoln Street
for the period commencing April 1, 1989 and terminating September 30, 1992, and

2. That the Town Attorney make distribution of executed copies of
said Lease to the appropriate parties.

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYS	VOTED	YES

The resolution was thereupon unanimously adopted.

April 17, 1989

32X

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster has previously advertised for bids for the furnishing of Seven (7) Special Order Desks for use in the Town Board Room of the Lancaster Town Hall, in accordance with specifications on file with the Town Clerk, and

WHEREAS, said bids were duly opened, read aloud and referred to the Supervisor for report and recommendation, and

WHEREAS, by letter dated April 13, 1989, the Supervisor of the Town of Lancaster has recommended that the bid for furnishing Seven (7) Special Order Desks for use in the Town Board Room of the Town Hall, be awarded to T. ROCK CUSTOM FURNITURE, 21 Elm Street, East Aurora, New York, as being the lowest responsible bidder, with negotiated changes reducing bid to \$8,400.00,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby awards the bid for furnishing Seven (7) Special Order Desks for use in the Town Board Room of the Lancaster Town Hall, to T. ROCK CUSTOM FURNITURE, 21 Elm Street East Aurora, New York, the lowest responsible bidder, with negotiated changes reducing bid to \$8,400.00.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

April 17, 1989

32X1

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN KWAK , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
CZAPLA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby
ordered paid from their respective accounts:

Claim No. 7157 to Claim No. 7386 Inclusive.

Total amount hereby authorized to be paid:

\$279,194.32

The question of the adoption of the foregoing resolution was duly
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

April 17, 1989

File: R-CLAIMS

32X

THE FOLLOWING RESOLUTION WAS OFFERED
 BY COUNCILMAN KWAK WHO MOVED
 ITS ADOPTION, SECONDED BY COUNCILMAN
 GIZA, TO WIT:

RESOLVED, that the following Building Permit Applications be and
 are hereby approved and the Issuance of these Building Permits be and are
 hereby authorized:

CODES:

(T) = Tree Planting Fee tendered to the Town of Lancaster pursuant to
 the provisions of Chapter 30-26 of the Code of the Town of Lancaster.

(SW) = Sidewalks as required by Chapter 12-1B. of the Code of the Town of
 Lancaster are waived.

NO.	CODE	NAME	ADDRESS	STRUCTURE
107		James Chadwick Jr.	54 Pheasant Run La	ER. FENCE
108		Glenn Tanner	3758 Bowen Rd	EXT. SIN. DWLG
109		Marty Dropik	5 Petersbrook Cir	ER. SHED
110	(T)	Fischione Const.	23 Hidden Tr	ER. SIN. DWLG
111		Bob Fuchs	23 Sugarbush La	ER. FENCE
112	(T)	Marrano/Marc Equity	99 Pheasant Run N	ER. SIN. DWLG
113	(T)	All Craft Developers	20 Plumb Creek Tr	ER. SIN. DWLG
114		Jeff Helenbrook	5200 genesee St	REMOD. DBL. DWLG
115		M/M Daniel Nowrocki	749 Ransom Rd	ER. GARAGE
116		NYS Assoc. Retarded	5340 William St	DEM. FENCE, DECK, ER. FENCE, DECK
117	(T)(SW)	Spartan II	5797 Broadway	ER. 8 TOWNHOUSES
118		Kevin Drayer	11 Parkdale Dr	DEM., ER. DECK
119		Majestic Pools	1416 Town Line Rd	ER. POOL
120		Majestic Pools	601 Pleasant View Dr	ER. POOL
121	(T)	Donato Devel.	1111 Penora St	ER. SIN. DWLG
122	(T)	Donato Devel.	9 Lucia Ct	ER. SIN. DWLG
123	(T)	Fischione Const.	4 Arrow Tr	ER. SIN. DWLG
124	(T)(SW)	V.H.B., Inc.	263 Ransom Rd	ER. SIN. DWLG
125	(T)	Robert Zybczynski	204 Enchanted Forest S	ER. SIN. DWLG
126		Robert Herrnreiter	151 Nichter Rd	ER. POOL, SHED, FENCE
127	(T)(SW)	Joseph Oleksy	3590 Bowen Rd	ER. SIN. DWLG
128	(T)	Marrano/Marc Equity	120 Pheasant Run N	ER. SIN. DWLG
129	(T)	Marrano/Marc Equity	69 Heritage Dr	ER. SIN. DWLG

130	Jeffrey Hackett	5227 Genesee St	ER. FENCE
131	James Hoffstetter	616 Columbia Ave	ER. SHED
132 (T)	DE Gutters	262 Miller St	ER. DBL. DWLG

and,

BE IT FURTHER

RESOLVED, that the Building Permit Applications herein coded (SW) for sidewalk waiver be and are hereby approved with a waiver of the Town Ordinance requirement for sidewalks.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA	VOTED	YES
COUNCILMAN GIZA	VOTED	YES
COUNCILMAN KWAK	VOTED	YES
COUNCILMAN MILLER	VOTED	YES
SUPERVISOR KEYSA	VOTED	YES

The resolution was thereupon unanimously adopted.

April 17, 1989

31x1

Councilman Czapla requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN CZAPLA, WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK, TO WIT:

WHEREAS, it has come to the attention of the Town Board that construction debris and litter is becoming a public nuisance in developments in the Town of Lancaster, and

WHEREAS, it has further come to the attention of the Town Board that due to the amount of development in the Town there is being deposited on town roads an inordinate amount of mud from construction vehicles, and

WHEREAS, after review of these matters and consideration being given to remedy these situations, the Town Board deems it in the public interest to adopt certain requirements with the issuance of each building permit for residential construction;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby establishes the following requirements as part of the issuance of each residential building permit in the Town of Lancaster:

1. Before issuance of a permit, the applicant shall provide the Building Inspector's Office with evidence of a contract for disposal of trash and garbage during construction;

2. Before excavation of foundation, applicant shall install a construction driveway of No. 3 crushed stone to a depth of not less than six (6) inches for each residential unit;

3. Before any rough carpentry work is commenced, applicant shall place a dumpster of not less than 2-1/2 cubic yard capacity in an off-road location to be approved by the Building Inspector, such as to not obstruct visibility for vehicular traffic entering the highway and so as to not be a

32X1

fire or health hazzard to nearby structures. Refuse in such dumpster shall be dumped when full.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

April 18, 1989

Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED
BY COUNCILMAN GIZA , WHO MOVED
ITS ADOPTION, SECONDED BY COUNCILMAN
KWAK , TO WIT:

WHEREAS, the Town Board of the Town of Lancaster desires to upgrade the cleaning services provided at the Town Center Police and Court Building on Pavement Road, and

WHEREAS, SOUTHEAST COMMUNITY WORK CENTER, INC. has an approved program through the State of New York to offer janitorial services without the need for public bid, and

WHEREAS, the Town Board deems it in the public interest to employ agencies which offer a public opportunity to handicapped individuals which will accomplish a public purpose in providing the aforementioned janitorial services,

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Lancaster hereby authorizes a three-month contract with SOUTHEAST COMMUNITY WORK CENTER, INC. for the provision of janitorial services pursuant to the proposal submitted by SOUTHEAST COMMUNITY WORK CENTER, INC. at the Town Center Police and Court Building on Pavement Road for the sum of \$1,102.86 per month.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES
COUNCILMAN GIZA VOTED YES
COUNCILMAN KWAK VOTED YES
COUNCILMAN MILLER VOTED YES
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

April 17, 1989

STATUS REPORT ON UNFINISHED BUSINESS:**1. Detention Basin - Milton Drive**

On June 6, 1988, the Town Engineer was directed to expedite this project.

2. Dumping Permit - Clarence Center General Construction Co.

On January 27, 1989, this matter was referred to the Town Engineer and Building Inspector for review and recommendation.

3. Excavating Permit - Amadori Construction (Caci Property Site)

On April 17, 1989, after a SEQR Review Hearing, the Town Attorney was directed to prepare an authorizing resolution for the Town Board meeting of May 1, 1989.

4. Public Improvement Permit Authorization - Forestream Village Subdivision, Phase I (Dilapo)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Curbs	Yes	Yes	Yes
Floodway	Yes	No	No

5. Public Improvement Permit Authorization - Indian Pine Village (Fischione Const., Inc.)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement & Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	Yes	No	No

6. Public Improvement Permit Authorization - The Meadows (Giallanza)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement & Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	n/a	n/a	n/a

7. Public Improvement Permit Authorization - Pine Tree Farm, Phase I (Josela - East off Aurora Street)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline (Transmission)	Yes	Yes	Yes
Waterline (Hydrants)	Yes	No	No
Pavement & Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Street Lights	No	No	n/a
Sidewalks	No	n/a	n/a
Detention Basin	No	No	No

32x1

STATUS REPORT ON UNFINISHED BUSINESS (CONT'D.)8. Public Improvement Permit Authorization - Pine Tree Farm, Phase II
(Josela - East off Aurora Street)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	No	No
Pavement & Curbs	Yes	No	No
Storm Sewers	Yes	No	No
Street Lights	No	No	n/a
Sidewalks	No	n/a	n/a
Detention Basin	No	No	No

9. Public Improvement Permit Authorization - Plum Estates (Galasso)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement & Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	Yes	No	No

10. Public Improvement Permit Authorization - Plum Estates South, Phase I (Galasso)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement & Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	n/a	n/a	n/a

11. Public Improvement Permit Authorization - Plum Estates South, Phase II (Galasso)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement & Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	n/a	n/a	n/a

12. Public Improvement Permit Authorization - Wainwright Estates, Phase I
(Donato)

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement & Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	Yes	No	n/a
Sidewalks	Yes	n/a	n/a
Detention Basin	Yes	No	No

STATUS REPORT ON UNFINISHED BUSINESS CONT'D:**13. Public Improvement Permit Authorization - Warnerview Estates, Phase II (Donato)**

<u>TYPE</u>	<u>ISSUED</u>	<u>ACCEPTED</u>	<u>BONDED</u>
Waterline	Yes	Yes	Yes
Pavement & Curbs	Yes	Yes	Yes
Storm Sewers	Yes	Yes	Yes
Street Lights	No	No	n/a
Sidewalks	No	n/a	n/a
Detention Basin	n/a	n/a	n/a

14. Rezone Petition - Harold Zoerb

On March 28, 1989, the Town Clerk referred this matter to the Planning Board, Planning Consultant, Building Inspector and Town Board for review and recommendation.

15. State Contract Grant - 40 Clark Street Museum

Application for grant has been filed.

16. Subdivision Approval - Lake Forest (Lake Forest Devel. - Off Lake Ave.)

On January 27, 1989, this matter was referred to the Planning Board, Town Engineer, Building Inspector, Planning Consultant, Highway Superintendent, Police Chief and Twin District Fire Chief for review and recommendation.

17. Subdivision Approval - Meadowland Subdivision (Bosse - Off Kedlein Dr.)

On November 6, 1986, this matter was referred to the Planning Board Chairman, Chief Fowler, Highway Superintendent, Town Engineer, and Town Planning Consultant for review and report.

18. Traffic Survey - Genesee Street East of Harris Hill Road

On May 16, 1988, this matter was referred to the Police Chief for report and recommendation.

19. Zoning Ordinance and Map Update

On December 12, 1988, the Town Board held a Public Hearing on this matter and reserved decision.

20. Zoning Ordinance Amendment - Campers and Boats

On March 21, 1988, the Town Board held a public hearing on this matter and reserved decision.

PERSONS ADDRESSING TOWN BOARD:

Arthur Posluszyny, Mayor of the Village of Lancaster, distributed to the Town Board members a letter concerning the Village's 1989-90 proposed budget.

PERSONS ADDRESSING TOWN BOARD CONT'D.

Residents of Plumb Estates and Plumb Estates South Subdivisions spoke at great length with the Town Board concerning the following subjects:

- a) blowing garbage and muddy streets
- b) drainage of surface water runoff
- c) maintenance of detention area
- d) school bus pickup
- e) burial of contractors' debris

The residents that spoke on these subjects were:

Donald Christie	39 Gale Drive
Daniel Janis	28 Plumb Creek Trail
Daniel Hale	25 Plumb Creek Trail
Colleen Tomsoline	9 Jenny Lane
Robin Heberly	2 Jenny Lane
Donald Manuel	29 Plumb Creek Trail
Mrs. Daniel Hale	25 Plumb Creek Trail

The Town Board, later in the meeting, adopted a resolution addressing some of these concerns.

Ronald Balucci, 25 Oakwood Common, spoke to the Town Board relative to a surface water drainage problem on his property.

Councilman Kwak and Councilman Miller will make a site inspection later this week.

Mr. Robert Heckl, 706 Pavement Road, asked the Town Board to consider enactment of a moratorium on building permit issuance to give the Town a chance to plan for future development.

PERSONS ADDRESSING TOWN BOARD CONT'D.

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COMMUNICATIONS**DISPOSITION**

395. Stovroff & Herman Realtors to Town Board - Invitation to grand opening of Forestream Village Townhouses on 4/12/89.	R & F
396. Lancaster Central School District Supt. to Supervisor - Notice of unanimous agreement on the proposed joint use of fuel.	SUPERVISOR & TOWN ATTORNEY
397. NYSDEC to Supervisor - Comments re: Amadori Excavating Permit for Nichter Rd. site.	TOWN ATTORNEY
398. John P. Crawford, Wainwright Ct., to Supervisor - Opposition to proposed motel.	R & F
399. Supervisor to NSYDOT - Comments re: left turn lane on Pleasant View Dr. - Transit Road Project.	R & F
400. Fox & Co. to Town Board - Reportable conditions re: audit of financial statements of the Town Justices.	R & F
401. Secretary of State and Comm., Div. of Housing and Community Renewal - Comments re: regulation of factory manufactured homes.	BUILDING INSPECTOR
402. NYS Div. of Criminal Justice Services to Supervisor - Request comments re: proposed standards, rules and regulations - NYS Law Enforcement Accreditation Program.	R & F
403. NYSDEC to Supervisor - Notice of Complete Application Transmittal re: Pine Hill Concrete Mix Corp. Mined Land Reclamation.	TOWN ATTORNEY
404. M/M Zasawski, Maple Dr., to Supervisor - Opposition to proposed motel.	R & F
405. NYSDOT to Supervisor - Response to questions re: sidewalks - Transit Rd. Project.	TOWN ATTORNEY
406. Building Inspector to Town Board - Recommend one year extension of Sherwood/ Almedinger Dumping Permit.	R & F
407. Town Clerk to Supervisor - Monthly report for March 1989.	R & F
408. R&D Engineering and Land Surveying, P.C. to Town Board - Transmittal of data re: Town of Cheektowaga proposed yard waste composting site.	R & F
409. Village of Depew Mayor to Regional NYSDOT - Comments re: Transit Rd. Project.	R & F
410. NYSDEC to ECDEP - Comments re: performance certification for Sewer Project 390-03.	TOWN ENGINEER
411. NYSDOT to Village of Depew Mayor - Reply to comments re: Transit Rd. Project.	R & F

COMMUNICATIONS CONT'D.:DISPOSITION

412. Supervisor to County Water Authority - Transmittal of data re: 4604 Walden Ave. property with request for assistance.	R & F
413. Lancaster Central School District to Sr. Citizens Director - Notice of Increase in lease fee for 1989-90.	TOWN ATTORNEY
414. Richard Bidell, Maple Dr., to Town Board - Opposition to proposed motel.	R & F
415. Belmont Shelter Corp. to Supervisor - Transmittal of findings re: Lancaster Market Study.	R & F
416. Supervisor to Town Board - Notice of various investments during January, February and March 1989.	R & F
417. Sen. John Sheffer to Supervisor - Request assistance re: Ellicott Creek Project.	SUPERVISOR
418. Recreation Comm. Chair. to Town Board - Request authorization to purchase 1989 Dodge Pickup Truck under State Contract.	R & F
419. Town Clerk to Planning Board Chair. - Transmittal of application for Willow Ridge Subdivision.	R & F
420. Mary E. Terranova to Lancaster Library Board - Request appointment to position of Library Board Trustee.	R & F TOWN ATTORNEY TOWN CLERK
421. Dog Control Officer to Town Board - Monthly Report for March 1989.	R & F
22. Residents of Plumb Creek Trail & Jenny Lane to Supervisor - Petition regarding concerns in Subdivision.	BUILDING INSPECTOR TOWN ATTORNEY FOR RESOLUTION
423. Office of State Comptroller to Town Clerk - Report of Examination of Town of Lancaster.	R & F
424. Fox & Company to Town Board - Financial Statements & additional information Town Justice J. Michael Kelleher, Independent Audit.	R & F
425. Fox & Company to Town Board - Financial Statement & additional information Town Justice Timothy J. Dwan, Independent Audit.	R & F
426. N.Y.S. Depart. of Public Service to Town Clerk - Reduction of locality charges to customers in NYT Exchange of Lancaster.	TOWN CLERK FOR REFERRAL TO PERSONS INVOLVED
427. Exec. Dir., NYS Thruway Authority to Town Clerk - Acknowledgement of resolution regarding Williamsville Toll Barrier.	R & F
428. County Dept. of Environment & Planning to Supervisor - Re: Erie County Sewer Dist. No.4 C-36-390-03.	R & F
429. Town Line Volunteer Fire Dept. to Town Board - Current roster of active members.	R & F

COMMUNICATIONS CONT'D.DISPOSITION

430. Northeast Communities Solid Waste Management Board to Supervisor - Notice of meeting April 13, 1989.	R & F
431. Supervisor to Lancaster Village Board - 1989-90 Village Budget.	R & F
432. Buffalo News article 4/10/89 regarding Village Special election.	R & F
433. State Dept. of Motor Vehicles to Local Government Executives - Subject: Critical Drivers Program.	R & F CHIEF FOWLER
434. Village of Lancaster Fourth of July Commission to Supervisor - Seeking monetary support for celebration.	R & F
435. County Dept. of Emergency Services to Mayors - Supervisor and Legislators - Emergency Management Seminar 4/29/89.	SUPERVISOR
436. County Dept. of Emergency Services to Emergency Service Providers - Offering providers 800 MHZ radio frequencies.	R & F
437. Supervisor to Town Board - Eastwood Villages (North proposal by Marrano Family Enterprises).	R & F TOWN ATTORNEY
438. Supervisor to Daniel Urbanczyk - Drainage problems along backyards on Country Place.	TOWN ENGINEER & COUNCILMAN MILLER
439. Supervisor to L.H. Kretschmer - Re: gun control in town.	R & F
440. Supervisor to Town Board - Recommendation to award bid to T. Rock Custom Furniture.	R & F
441. Erie and Niagara Counties Regional Planning Board to Supervisor - Offer to work with communities regarding 1990 census.	R & F
442. County Dept. of Environment & Planning to Supervisor - Re: Erie County Sewer Dist. No. 4 C-36-390-03, Grant Close-Out.	TOWN ENGINEER
443. Supervisor to Town Board - Suggestions for Traffic planning between Como Park Blvd. and William Street.	TOWN ATTORNEY
444. Planning Board to Town Board - Minutes from meeting held 4/5/89.	R & F
445. NYSDEC to Citizens - Comments re: Pfohl Brothers Landfill site investigation.	R & F
446. Aiden Town Clerk to NYSDOT - Request decision re: request for four-way stop signs at Westwood Rd. and Town Line Rd.	TOWN CLERK, POLICE & SAFETY & CHIEF FOWLER
447. Lovell SAFETY NEWS - "OSHA Issues Final Hazardous Waste and Emergency Response Standard".	R & F

COMMUNICATIONS CONT'D.:

DISPOSITION

448. Supervisor to Town Board -
Recommend iron work bid award to Butlak
Ornamental Iron.
449. Recreation Dir. to Town Board -
Comments and recommendations re: use of
Lincoln School softball field.

R & F

R & F

Supervisor Keysa requested a suspension of the necessary rule for
immediate consideration of the following communications - SUSPENSION GRANTED.

450. Maple Drive Resident to Town Clerk -
Concern regarding rezoning of property between
Transit & Maple & Transit & Freeman.

R & F

451. W. Freid, Attorney to Supervisor -
Parcel of Property on Brunck Road.

HIGHWAY SUPT.
TOWN ENGINEER
TOWN ATTORNEY & DRAINAGE
COMM.

452. Chairman, Assessment Review Board to Town Board -
Request a forth alternative member to board.

TOWN ATTORNEY

ADJOURNMENT

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD
AND CARRIED, the meeting was adjourned at 11:30 P.M. out of respect to:

HAROLD HADSALL
ELEANOR MILLER
ADOLF KOTZ

Signed Robert P. Thill

Robert P. Thill, Town Clerk

12X1